

P L A N N I N G C O M M I S S I O N

ACTION MINUTES

TUESDAY, MARCH 2, 2004

Chair Gibson called the meeting to order at 8:00 p.m. at the Twin Pines Senior and Community Center.

1. ROLL CALL:

Present, Commissioners: Gibson, Parsons, Frautschi, Dickensen, Long, Wozniak, Horton

Present, Staff: Community Development Director Ewing (CDD), Principal Planner de Melo (PP), Zoning Technician Froelich (ZT), Associate Planner Swan (AP), Attorney Jean Savaree (CA), Recording Secretary Flores (RS)

Chair Gibson noted for the record that the meeting was called for 8:00 p.m. rather than 7:00 p.m. to accommodate Election Day.

2. AGENDA AMENDMENTS: None

3. COMMUNITY FORUM (Public Comments): None

CONSENT CALENDAR:

4A. 1/20/04 Planning Commission Minutes

MOTION: By Commissioner Frautschi, seconded by Commissioner Long, to accept the minutes of January 20, 2004.

Ayes: Frautschi, Long, Dickensen, Parsons, Gibson

Noes: None

Abstain: Horton, Wozniak

Motion passed 5/0/2

C Parsons asked staff if a new motion could be offered if an item that is on the Consent Calendar were to be disapproved. CDD Ewing responded that they could entertain a new motion, but that discussion would have to be limited to the information already presented. No new testimony could be introduced without a Public Hearing.

4B. Revised Resolution and Conditions of Approval for 695 Middle Road/740 El Camino Real

MOTION: By Commissioner Parsons, seconded by Commissioner Dickensen, to approve the revised Resolution and Conditions of Approval for 695 Middle Road/740 El Camino Real.

Ayes: Parsons, Dickensen, Frautschi, Wozniak, Horton, Long, Gibson

Noes: None

Motion passed 7/0

4C. Revised Resolution for 905 South Road

MOTION: By Commissioner Parsons, seconded by Commissioner Dickensen, approval of the Revised Resolution for 905 South Road.

Ayes: Parsons, Dickensen, Wozniak, Horton, Long, Gibson

Noes: Frautschi

Motion passed 6/1

Chair Gibson announced that Items 4B and 4C may be appealed to the City Council within ten days.

5. PUBLIC HEARINGS:

5A. - 1549 Molitor Road

To consider a Single Family Design Review to add a 1,099 square foot second floor and stairwell to an existing 2,389 square foot single family residence for a total of 3,488 square feet that is below the zoning district permitted 3,500 square feet for this site.

(Appl. No. 03-0097)

APN: 045-274-380; Zoned: R-1B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15301, Class 1(e)(2)(a & b)

Applicant: Ryan Seyfert

Owners: Remy and Danielle Zimmerman

ZT Froelich summarized the staff report. Staff elected to make the recommendation a "close call," but based on Findings A and B recommended denial of the project as proposed. He added that as of the meeting time, the applicant had submitted a packet of information regarding the project that was not included in the review of the staff report or the recommendation. Also, a neighboring property owner had submitted an exhibit that was not considered in the review. ZT Froelich then answered questions from the Commission.

Applicant Remy Zimmerman, 1549 Molitor Road, stated that they want to do what is best to integrate the addition into the area yet have something that would make sense for their family. He described what he felt would be problems if they were to place the addition on the north end of the house.

Lisa Stern of Harrell Remodeling clarified that there were 15-20 people who attended a neighborhood outreach open house in January, at which time they had very positive feedback, and distributed photos of the project.

Chair Gibson opened the Public Hearing.

Lou Yurek, 1561 Harbor Blvd., is not opposed to the project, but has concerns about 1) the impact on the view from their living room, dining room, master bedroom and yard, 2) loss of privacy since they will be looking into each other's windows, 3) possible reflection of afternoon sun at certain times of the year, and 4) potential lowering of his property value due to the loss of view. He would be willing to work through the problems and perhaps suggest some mitigation to correct his concerns.

The following neighbors spoke in favor of the project and concurred that there is no public view from Molitor Road that would be affected:

Ray Keller, 1525 Harbor Blvd.

Laurie Davidson, 1500 Harbor Blvd.

Mike Hogan, 1541 Harbor Blvd.

Ken Boyer and Maria Peterson, 1580 Molitor Road

MOTION: By Commissioner Frautschi, second by Commissioner Long, to close the public hearing. Motion passed.

Discussion ensued, with Commissioners concurring in their support of the project and noting that they could see no loss of public view. C Horton and Dickenson would like to see more articulation on the building to minimize the mass, and Commissioners Horton and Frautschi expressed suspicion about the use of the second floor room addition as a second office. The Commission also encouraged the applicant to work with Mr. Yurek to resolve the privacy issue. CDD Ewing noted that the staff report states that the color of the addition will be a continuation of the current color. It was mentioned that the pool currently under construction is a code enforcement issue in that the pile of dirt needs to be contained so that it does not run down the street into the public right-of-way.

MOTION: By Commissioner Long, second by Vice Chair Parsons, that staff return with a Resolution making the findings for approval for 1549 Molitor Road based on the information provided by the Commission regarding acceptable building bulk and no impact on public view.

Ayes: Long, Parsons, Frautschi, Dickenson, Wozniak, Horton, Gibson

Noes: None

Motion passed 7/0.

CDD Ewing added that staff will bring back a set of draft conditions, most of which are the usual boilerplate with no added conditions regarding building bulk, but staff will have noted the Commission's willingness to see some changes to improve the look of the building with regard to articulation. Any changes along those lines will be treated as a minor change subject to Director approval. The item will be on the Consent Calendar, will not be a public hearing, and the appeal period will begin at that time.

6. OLD BUSINESS

6A. 2514 Ralston Avenue – Review of Final Landscape Plan

PP de Melo summarized the staff report, recommending approval as proposed.

Vice Chair Parsons commented that he has a problem with the number of plantings between the retaining wall and the street, because there are only 10 over an 80' frontage.

Kamal Fallaha, applicant, stated that he is willing to double the quantity of the plantings.

C Frautschi asked the applicant what kind of railing he is going to use between the street and the drop-off, wondering if he would coordinate it with the next door neighbor. The applicant replied that in order to have access he cannot build the railing until he builds the house. Commissioners also suggested that the applicant consider protecting the immature day lilies and trumpet vines from the deer in the area.

MOTION: By Vice Chair Parsons, seconded by Commissioner Dickensen, to adopt the Resolution approving the Landscape Plan

at 2514 Ralston Avenue, with the condition that the number of day lilies be doubled.

Ayes: Parsons, Dickensen, Wozniak, Horton, Long, Gibson

Noes: None

Abstain: Frautschi

Motion Passed 6/0/1

7. REPORTS, STUDIES, UPDATES AND COMMENTS

7A. Study Session – Zoning

CDD Ewing used a Power Point presentation entitled "Planning Tools" to review and illustrate the zoning process as it is applied in the City of Belmont, and answered questions from the Commission during the presentation.

7B. Vote for Chair/Vice Chair

Chair Gibson opened the nominations for Chair of the Planning Commission for the coming year.

Vice Chair Parsons nominated Chair Gibson. Commissioner Long seconded.

Votes in Favor: Commissioners Parsons, Long, Frautschi, Dickensen, Wozniak, Horton, Gibson

Chair Gibson was elected unanimously to serve another year as Chair.

Chair Gibson opened the nominations for Vice Chair of the Planning Commission. Commissioner Frautschi nominated Vice Chair Parsons, seconded by Commissioner Long.

Votes in Favor: Commissioner Frautschi, Long, Dickensen, Wozniak, Horton, Parsons, Gibson

Vice Chair Parsons was elected unanimously to serve another year as Vice Chair.

7C. Comments from Commissioners

1) C Dickensen reported on an encounter he had at 44 Hiller Street, involving a licensed home-occupation that has been observed disposing of 50-100 gallons of carpet cleaning waste into a closed sewer. He referred the matter to the Public Works Department, who contacted a South Bay Water inspector. The latter "slapped the violator's hand" the previous Thursday, but C Dickensen again saw the same hose running into the same cleanout again at noon on the day of the meeting. A Public Works inspector knocked on the door but got no response. CDD Ewing agreed that staff will investigate both from a home occupation standpoint and the waste disposal issue as well.

2) Vice Chair Parsons reported on a pine tree that was being cut down on Ralston alongside the Safeway before Carlmont. CDD Ewing will investigate.

3) Vice Chair Parsons called staff's attention to a house on Hillcrest (possibly 4316) where an existing circular drive has been torn out and being made bigger; it appears they are paving most of their front yard. CDD Ewing will investigate.

4) C Long asked if there had been any follow up on a question that had been raised by a resident regarding a zoning change for a duplex on Alameda de las Pulgas. CDD Ewing responded that the current zoning is the correct zoning for her property and it was approved by Council, and that the General Plan Update is a good time to pick up those kinds of changes.

5) C Long followed up on a Status Report on Commissioner's comments. CDD Ewing stated that he has been keeping a list up to date since January and will email a copy to C Long.

6) C Wozniak asked that her name be added to the group email address for the Planning Commission.

7) C Wozniak expressed concern about the neighborhood outreach/noticing process used by staff. CDD Ewing suggested that they discuss this process at the next meeting and agreed to email her a copy of the form that is a guideline to neighborhood outreach. Responding to C Frautschi, he stated that the current neighborhood program was adopted by Council, so that any tweaking of the program would have to go through Council.

8. PLANNING COMMISSION LIAISON TO CITY COUNCIL MEETING OF TUESDAY,

March 9, 2004.

Liaison: Commissioner Frautschi

Alternate Liaison: Commissioner Dickenson

9. ADJOURNMENT:

The meeting adjourned at 10:15 p.m. to a regular meeting on Tuesday, March 16, 2004 at 7:00 p.m. at Twin Pines Senior and Community Center.

Craig A. Ewing, AICP

Planning Commission Secretary

Audiotapes of Planning Commission Meetings are available for review

in the Community Development Department

Please call (650) 595-7416 to schedule an appointment.